

Appl. No. 10/802,545
Response Dated January 16, 2007
Reply to Final Office Action Dated November 13, 2006

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REMARKS/ARGUMENTS

Please reconsider the application in view of the following remarks. Claims 1-67 remain in this application.

Information Disclosure Statements

Applicant requests consideration of the references provided in the Information Disclosure Statement filed by Applicant on November 14, 2006.

Rejection(s) under 35 U.S.C § 102

Claims 1-67 stand rejected under 35 U.S.C. § 102(e) as being anticipated by US20040149431 to Wylie. This rejection is respectfully traversed. Wylie fails to teach each of the limitations of the claimed invention and, therefore, fails to anticipate the claimed invention.

A. Legal Background

As stated in the MPEP, to anticipate a claim, the reference must teach every element of the claim. *See MPEP § 2131*. As described below, the cited reference fails to teach or even suggest each and every limitation in the pending claims. Thus, the cited reference fails to anticipate the claimed invention, and the rejection under 35 U.S.C. § 102 cannot stand.

B. Response to Examiner's Arguments

The Examiner rejected Applicant's arguments as having been fully considered by not persuasive. *See Final Office Action, p. 2*. The Examiner further states that "Applicant's argue the prior art does not disclose generation of a summary in response to input data, including wellbore geometry and trajectory requirements. The prior art discloses in paragraph 0167 input including requirements of the well plan to reach a target location." Applicant respectfully traverses the Examiner's conclusions.

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The Examiner suggests that using inputs including requirements of the well plan to reach a target location is the same as "generating a summary of a drillstring in each hole section of a wellbore in response to wellbore geometry and wellbore trajectory." However, as indicated in the legal background above, a 102 rejection is improper where, as here, the disclosure does not match the claim limitation. The Examiner appears to use hindsight reconstruction in an attempt to equate Applicant's claimed language with the disclosure provided by Wylie. While paragraph 0167 of Wylie may describe "[r]ealtime information, along with the right directional tools, provides the most efficient way to get to the target location with the smoothest borehole," there is no disclosure of generating a summary of a drillstring in each hole section of a wellbore in response to wellbore geometry and wellbore trajectory as recited in the claims. Applicant can locate no mention in Wylie of generating a summary of a drillstring in each hole section. Moreover, there is no location of doing so in response to wellbore geometry and wellbore trajectory.

Moreover, an obviousness rejection under 103 would also not be proper since there is no suggestion for generating a summary of a drillstring in each hole section, or of doing so in response to wellbore geometry and wellbore trajectory provided in the claims.

C. Additional Arguments

Applicant further reasserts its arguments made in the Response dated September 18, 2006. For the Examiner's convenience, these arguments are reiterated below:

The Claims relate to techniques for well planning in response to input data including wellbore geometry and wellbore trajectory requirements. The Claims recite, *inter alia*, generating a summary of a drillstring in each hole section of a wellbore in response to input data.

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As described in Applicant's specification, automatic drillstring design is provided based on wellbore geometry and trajectory requirements. *See, US20050211468 at paragraph [0002].*

The Examiner asserts that Wylie discloses recording and displaying means for (0146) generating a summary of a drillstring in each hole section in response to data (0167), generating a diameter of the first and second drill collar (0124) with respect to the drift diameter, generating an outer diameter of a heavy drillstring for various sized boreholes (0021, 0022), generating weight on the bit (0258), first collar or section (324) and second collar (318) of the drill string, generating lengths for the first and second collars or sections (0257), determining tension (0426), cost (0225) and kick tolerance (0213). *See Office Action, p. 2.* While Wylie may describe certain components of the drillstring, Wylie fails to teach or even suggest generating a summary of a drillstring in each hole section of a wellbore in response to wellbore geometry and wellbore trajectory. Since Wylie fails to teach each limitation of the Applicant's claims, Wylie fails to anticipate the claimed invention.

Wylie's invention relates to a method and apparatus for constructing a monowell. *See Wylie, abstract.* The techniques described by Wylie involve optimizing drilling practices by analyzing real-time measurements and making adjustments to the drilling operating parameters without changing out the drill string. *See Wylie, paragraph [00165].* Wylie focuses on reaching the desired location by comparing actual data to a well plan to allow for immediate changes in direction rather than delayed corrections. *See Wylie, paragraph [0167].* Applicant can locate no disclosure in Wylie relating to the generation of a summary of a drillstring in each hole section of a wellbore in response to said input data as recited in the claims. Wylie fails to even contemplate using wellbore geometry and wellbore trajectory as inputs to generate a summary of

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a drillstring in each hole section of a wellbore as recited in the claims. Thus, Wylie fails to anticipate or render obvious the claimed invention. Applicant, therefore, requests withdrawal of the rejections under 35 U.S.C. § 102.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case. Applicant believes this reply to be fully responsive to all outstanding issues and place this application in condition for allowance. If this belief is incorrect, or other issues arise, do not hesitate to contact the undersigned at the telephone number listed below.

This paper is submitted in response to the Final Office Action dated November 13, 2006, for which the three-month date for response is February 13, 2007. This response is submitted within the two-month date for an advisory action, namely by January 16, 2007 (January 13, 2007 is a Saturday and Monday, January 15, 2007 is a Federal Holiday). Please apply any charges not covered or any credits, to Deposit Account 07-1078 (Reference Number 94.0076).

Date: 1/16/07

Respectfully submitted,

Jennie J.L. Salazar, Reg. No. 45,065
Intellectual Property Counsel
Schlumberger Information Solutions
5599 San Felipe, Suite 1208
Houston, TX 77056
Telephone: (713) 513-3754
Facsimile: (713) 513-2056